

10/536457

JC14 Rec'd ST/PTO 25 MAY 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Takenobu ARIMA, et al.

Application No.: New PCT National Stage Application

Filed: May 25, 2005

For: BASE STATION APPARATUS AND ADAPTIVE MODULATION  
METHOD

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents  
Washington, DC 20231

Dear Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the art listed on the attached Form PTO 1449. Copies of the art cited in the International Search Report (ISR), which issued by the JPO, are made available to the U.S. examiner in the national stage application, pursuant to MPEP 1893.03(g), and therefore copies of such art are not submitted herewith. The art cited in the ISR is listed on the attached PTO-1449 for an indication of consideration by the examiner. Copies of any other references listed on the PTO-1449, besides those cited in the ISR, are submitted herewith. The 3GPP TR25.848 is discussed in the present application at page 1, line 14 et seq. and the T. UEHARA, et al. document is discussed at page 3, line 15 et seq. The following are English equivalents to foreign patent documents: US 424/JP 833, WO 531/JP 692, US 852/JP 769 and US 295/JP 037.

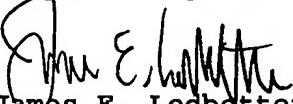
Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106.

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JC14 Rec'd OCT/PTO 25 MAY 2005

Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

Respectfully submitted,

  
James E. Ledbetter  
Registration No. 28,732

Date: May 25, 2005

JEL/spp

ATTORNEY DOCKET NO. L9289.05138

STEVENS, DAVIS, MILLER & MOSHER, L.L.P.  
1615 L STREET, NW, Suite 850  
WASHINGTON, DC 20043-4387  
Telephone: (202) 785-0100  
Facsimile: (202) 408-5200

**FORM PTO-1449 U.S. Department of Commerce**  
**(Rev. 4/92) Patent and Trademark Office**

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use several sheets if necessary)

**ATTY. DOCKET NO.**

L9289.05138

TRIAL NO. 1075  
New PCT Nat'l Stage  
Application

**APPLICANT**

Takenobu ARIMA, et al.

FILING DATE

DATE May 25, 2005 GROUP Unassigned

## **U.S. PATENT DOCUMENTS**

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION		
													YES	NO	
		0	0	5	4	5	3	1	09/2000	WO					
		2001	7	7	8	3	3		03/2001	JP					
		2002	5	3	9	6	9	2	11/2002	JP					
		1 0	1	0	7	7	6	9	04/1998	JP					
		2002	7	8	0	1	2		03/2002	JP					
		2002	1	9	9	0	3	7	07/2002	JP					

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

PCT International Search Report dated March 23, 2004.

A. HARADA et al.; "Kudari Link Broadband QFCDM ni Okeru QoS o Koryo shita Tekio Musen Parameter Seigyo," The Institute of Electronics, Information and Communication Engineers Gijutsu Kenkyū Hōkoku, April 12, 2002, vol. 102, no. 24, pp. 141 to 146.

T. UEHARA, et al.: "A Study of Rate Assignment Scheme of HSDPA Base Station," IEICE SST2001-77, RCS2001-260 (2002-03), pp. 1-6.

3GPP TR25.848 V4.0.0 (2001-03); 3rd Generation Partnership Project; Technical Specification Group Radio Access Network; Physical layer aspects of UTRA High Speed Downlink Packet Access; (Release 4), pp. 1-89.

EXAMINER

**DATE CONSIDERED**

**EXAMINER:** Initial if citation is considered, draw line through citation if not in conformance and not considered.  
Include copy of this form with next communication to applicant.